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ENTERED	SERVED ON	
JUNE 18, 2025		
CLERK, U.S. DISTRICT COURT		
DISTRICT OF NEVADA		
BY:	/s/ RJDG	DEPUTY

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

SHANA LEE MCCART-POLLAK,

Case No: 2:20-cv-01624-GMN-NJK

Plaintiff,

vs.

ON DEMAND DIRECT RESPONSE LLC,  
 Delaware company, ON DEMAND DIRECT  
 RESPONSE III LLC, Delaware company;  
 BRETT SAEVITZON, individual; CRAIG  
 SHANDLER, individual; JEFFREY MILLER,  
 individual; MARK MEYERS, individual;  
 DOES I-X; ROE BUSINESS ENTITTIES I-  
 X;

Defendants

JOINT STIPULATION PER FRCP 6(b) TO  
 EXTEND THE TIME TO FILE A MOTION  
 TO SUBSTITUTE PER FRCP 25(a)

## FIRST REQUEST

Comes now, Plaintiff Shana Lee McCart-Pollak ("Pollak") in proper person;  
 Defendant Brett Saevitzon (Deceased) ("Saevitzon"); Defendant Craig Shandler  
 ("Shandler"), by and through their counsel, David K. Dorenfeld, Esq., of Dorenfeldlaw,  
 inc., hereby submit this JOINT STIPULATION AND ORDER TO EXTEND THE TIME  
 (PER FRCP 6(b)) TO FILE A MOTION TO SUBSTITUTE (PER FRCP 25(a)), currently  
 due on or around June 23, 2025, for an additional 90 days.

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## **MEMORANDUM OF POINTS AND AUTHORITIES**

## Fed. R. Civ. P. 25 Substitution of Parties

(a) DEATH

(1) *Substitution if the Claim Is Not Extinguished.* If a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution may be made by any party or by the decedent's successor or representative. If the motion is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed.

**Fed. R. Civ. P. 6 Computing and Extending Time; Time for Motion Papers**

**(b) EXTENDING TIME**

(1) *In General.* When an act may or must be done within a specified time, the court may, for good cause, extend the time:

(A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires;

## BACKGROUND

On March 26, 2025, Mr Dorenfeld filed a Declaration of David K. Dorenfeld Re: Death of Client [Brett Saevitzon] on the Court's record and served it on Pollak (See Dkt 297) triggering the 90 day

On April 1, 2025, Pollak sent Mr. Dorenfeld an email stating, "I am looking into substituting Defendant Saevitzon and replacing him with the representative for his estate. Will you be notifying his estate that you were representing him in this litigation?" in which Mr. Dorenfeld replied, "I am trying to get contact information in order to do so."

1 Pollak diligently sought this information from Mr. Dorenfeld through multiple emails  
2 over the next few months. Mr. Dorenfeld, entered a declaration on June 12, 2025 [Dkt  
3 316] detailing his attempt efforts to locate an executor or successor for Saevitzon. Mr.  
4 Dorenfeld also requested a copy of the death certificate, but to date has not received a  
5 copy.

6

7 **GOOD CAUSE**

8 There is "Good Cause" for the Court to extend the timeframe to file a Motion to  
9 Substitute per FRCP 25(a) as this: 1) would allow the Parties to continue their efforts to  
10 determine the executor, the successor, or if one cannot be located to request the Court  
11 appoint a special administrator; 2) would allow Pollak the time needed to perfect service;  
12 and 3) would allow the Court to properly substitute the correct person (executor,  
13 successor, or special administrator) to represent Saevitzon's interests, as well as, allow  
14 the case to be adjudicated on the merits.

15

16 The Rule is not intended to be a strict barrier to proceed with cases that may have  
17 merit. Indeed, "the history of Rule 25(a) and Rule 6(b) makes it clear that the 90-day time  
18 period was not intended to act as a bar to otherwise meritorious actions, and extensions  
19 of the period may liberally be granted, *Grapas v N. Shore Farms Two, Ltd*, No 2:16-CV-  
20 775 (DRH) (ARI), 2018 WL 1136088, at \*2. Therefore, it would prejudice Pollak for the  
21 Court not to allow an extension, due to the potential merits of her case.

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23 This is the First Request. The parties in this matter respectfully request this  
24 Honorable Court to extend out the due date of the Motion to Substitute, due on or around  
25 June 23, 2025, for an additional 90 days.

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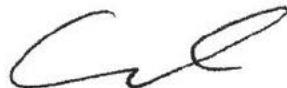
1 Dated this 18<sup>th</sup> day of June, 2025

2 Shana Lee McCart-Pollak

3 SIGNATURE

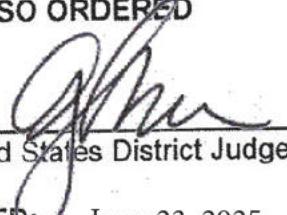
4 Shana Lee McCart-Pollak  
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Pro Se

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9



10 David K. Dorenfeld (Cal Bar No. 145056;  
11 *Pro Hac Vice*)  
12 DorenfeldLaw, Inc.  
13 30101 Agoura Court, Suite 210  
14 Agoura Hills, California 91301  
15 Tel: (818) 865-4000  
Fax: (818) 865-4010  
Email: [david@dorenfeldlaw.com](mailto:david@dorenfeldlaw.com)  
16 Attorney for Defendants, Brett Saevitzon  
17 and Craig Shandler

18 IT IS SO ORDERED  
19

20   
United States District Judge

21 DATED: June 23, 2025  
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**DECLARATION OF SHANA LEE MCCART-POLLAK**

I, Shana Lee McCart-Pollak, do hereby declare as follows:

1. I am of legal age and competent to testify to the matters contained herein:

Joint Stipulation per FRCP 6(b) to Extend the Time to File a Motion to Substitute per  
FRCP 25(a). I have personal knowledge of the facts contained in this declaration unless  
otherwise qualified or stated.

9           2. From the time I learned of Saevitzon's passing, I have been diligently  
10 seeking the pertinent information for me to file a Motion for Substitution per Rule 25(a).

11       3. On April 1, 2025, after learning of Saevitzon's death, I contacted Mr.  
12 Dorenfeld, Saevitzon's Counsel, making him aware of my intention of substituting  
13 Defendant Saevitzon and replacing him with the representative for his estate, and  
14 requesting the pertinent information.  
15

16           4. On May 15, 2025, June 2, 2025, and June 9, 2025, I again reached out to  
17 Mr. Dorenfeld requesting the pertinent information, in order to file a motion for substitution.

18       5. It would prejudice me for the court to not allow an extension of time due to  
19  
the case heading to trial to be determined on the merits.

22 I declare under the penalty of perjury under the law of the United States of America that  
23 the foregoing is true and correct.

Executed on this 18<sup>th</sup> day of June, 2025.

Shana Lee McCork - Lissak

**Shana Lee McCart-Pollak**

## CERTIFICATE OF SERVICE

I, Shana Lee McCart-Pollak, declares as follows, I am over the age of 18 years:

My address is: 1104 North Woodridge Lane  
Liberty, MO 64068  
(702) 439-2263

On June 18, 2025, I served the foregoing document(s) described as:

**JOINT STIPULATION PER FRCP 6(B) TO EXTEND THE TIME TO FIL A MOTION TO  
SUBSTITUTE PER FRCP 25(A)  
FIRST REQUEST**

I hereby certify that on the 18<sup>th</sup> day of June 2025, a true and complete copy of the foregoing was served on counsel of record by mail to the addresses indicated below:

Dorenfeld Law  
30101 Agoura Court, Suite 210  
Agoura Hills, California 91301

I declare under penalty of perjury that the foregoing is true and correct.

Shana Lee McCart-Pollak  
Shana Lee McCart-Pollak

**JOINT STIPULATION PER FRCP 6(B) TO EXTEND THE TIME TO FIL A MOTION TO SUBSTITUTE PER  
FRCP 25(A) FIRST REQUEST - 1**